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9
10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
11
12 SAN FRANCISCO DIVISION

CARL A. COMBS)	
)	
Plaintiff,)	Case No. 3:08-cv-01728-MEJ
)	
v.)	STIPULATION AND ORDER
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

18
19 Plaintiff and Defendant, through their respective attorneys,
20 hereby stipulate that Defendant shall have an extension of time
21 of thirty (30) days up through and including Tuesday, February 2,
22 2011 in which to file his Opposition to Plaintiff's Motion for an
23 Award of Attorney's Fees under the Equal Access to Justice Act,
24 28 U.S.C. § 2412(d). Defendant seeks this extension to consider
25 the possibility of settlement in this matter. This is
26 Defendant's second request for extension in this matter.

27 This extension is necessitated as a result of an injury,
28 requiring unanticipated medical leave, suffered by the
undersigned attorney and the reassignment of a large number of

1 cases in the Office of the Regional Chief Counsel, due to the
2 departure of several senior attorneys, and a concomitant increase
3 in the workload of the undersigned attorney.

4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7
8 Dated: January 3, 2011

By: /s/ Susan L. Smith
9 SUSAN L. SMITH
Special Assistant U.S. Attorney

10
11 Dated: January 3, 2011

/s/ Bess M. Brewer
12 (via e-mail authorization)
Attorney for Plaintiff

13 IT IS SO ORDERED.

14
15 Dated: January 7, 2011


16 HON. MARIA-ELENA JAMES
17 United States Magistrate Judge

CERTIFICATE OF SERVICE

I, hereby, certify that on January 3, 2011, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by that system.

Executed on January 3, 2011 in San Francisco, California.

/s/ Susan L. Smith

SUSAN L. SMITH
Special Assistant U.S. Attorney
Office of the Regional Chief Counsel
Social Security Administration
Attorney for Defendant